

REMARKS

Applicants have studied the Office Action of September 17, 2007, and take this opportunity to present arguments in support of patentability. It is believed that upon objective review of the claims, and particularly analyzing this information at the time the invention was made, that it will be clear that the claims define over any fair teaching attributable to the prior art.

Applicants believe that this application is now in condition for allowance and early notice thereof is respectfully requested.

I. Allowable Subject Matter

Claims 22-24 stand allowed.

II. 35 U.S.C. §103(a) Rejections

Claim 25 was rejected under 35 U.S.C. 103(a) as being unpatentable over Wenzel (U.S. Patent No. 5,700,315) ("Wenzel") in view of Usui et al. (U.S. Patent No. 6,536,861) ("Usui"). Wenzel was deemed to disclose a housing having a top wall (80), a bottom wall (32) and side walls (20, 22) forming a chamber for receiving ink, an outlet passage (52) through the bottom wall for dispensing ink from the chamber, and a vent (84) including an opening through the top wall for venting air into the chamber from atmosphere (Figure 1).

The Examiner acknowledged that Wenzel does not disclose the vent being a diaphragm mounted on the top wall and having a flexible portion overlying the opening through the top wall on the inner side thereof, the flexible portion selectively engaging at least one protrusion extending inwardly from the top wall and having a second portion extending through the opening which secures the diaphragm to the housing. Usui were deemed to disclose the vent being a diaphragm mounted on the top wall and having a flexible portion overlying the opening through the top wall on the inner side thereof, the flexible portion selectively engaging at least one protrusion extending inwardly from the top wall and having a second portion extending through the opening which secures the diaphragm to the housing.

The Examiner concluded that it would have been obvious to incorporate the vent being a diaphragm mounted on the top wall and having a flexible portion overlying the opening through the top wall on the inner side as taught by Usui into Wenzel.

While applicant respectfully maintains that it would not have been obvious to incorporate a diaphragm vent into Wenzel, claim 25 has been cancelled to facilitate prosecution of this application to issuance. Applicant reserves the right to pursue claim 25 in a divisional application.

CONCLUSION

Applicants respectfully submit that the present Amendment places the application in condition for allowance.

For the reasons detailed above, it is respectfully submitted that all claims remaining in the application (Claims 22-24) are now in condition for allowance.

No additional fee is believed to be required for this Amendment. If, however, a fee is due, the Commissioner is authorized to charge our Deposit Account No. 06-0308.

In the event the Examiner believes a telephone call would expedite prosecution, he is invited to call the undersigned.

Respectfully submitted,

FAY SHARPE LLP

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Date: March 17, 2008	Name: Kara L. Krist